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MAR 20 1996

In re Application of
Arnold W. Fogel
Serial No. 08/154,562
Filed: November 19, 1993
For: DERMATOLOGICAL COMPOSITIONS
USING A SERIES OF UNUSUALLY
SAFE ESTERS OF COSMETIC
EMOLLIENTS WITH UNIQUE AND
IDEAL PHYSICAL PROPERTIES

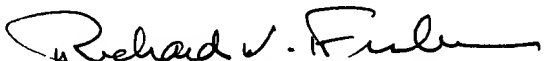
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: REQUEST TO
: WITHDRAW HOLDING
: OF ABANDONMENT
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This is a decision on the Applicant's letter of February 26, 1996, requesting that the Notice of Abandonment of February 9, 1996 be withdrawn, and the application be restored to pending status since the applicant's representative did not receive the Office action (INFORMALITY RE PAYMENT OF FEE) mailed November 2, 1995. The petitioner states that a search of the file jacket docket records has been made and that no office was received. Submitted in support of the request is a copy of the attorney's incoming mail log for the period in which the office action would have been received. Also provided is a check in the amount of \$44.00 to complete payment of the filing fees.

In view of the evidence presented, the instant letter is accepted as a Petition under 37 CFR 1.181 (no fee), and in light of the new procedures regarding an acceptable showing that an office action had not been received, TMOG 1156 O.G. 53, November 16, 1993 (TMOG 1170 OG 114, January 1995), it is clear that the office action of November 2, 1995 was not received by the applicant's representative.

The Notice of Abandonment of February 9, 1996 is hereby vacated, and the application returned to pending status. The application shall be forwarded to the examiner for consideration of the amendment filed July 13, 1995, and preparation of the appropriate action.

The Petition is GRANTED.


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